

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

<b>AMERICAN VIDEO GRAPHICS, L.P.,</b>	§	
	§	
<b>Plaintiff,</b>	§	<b>CIVIL ACTION</b>
	§	
<b>vs.</b>	§	<b>6:04cv398-LED</b>
	§	
<b>ELECTRONIC ARTS, <i>et al.</i>,</b>	§	<b>JURY TRIAL</b>
	§	
<b>Defendants.</b>	§	

**STIPULATION OF DISMISSAL WITH PREJUDICE**

Plaintiff American Video Graphics, L.P., and Defendant Namco Hometek, Inc., hereby inform the Court, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, that they stipulate and agree that all claims brought by and against each other, be dismissed with prejudice, with each party bearing its own costs and attorneys' fees.

DATED: October 6, 2005

Respectfully submitted,

**McKOOL SMITH, P.C.**

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/s/ Ronald L. Wanke

(by Sam Baxter with permission)

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by U.S. mail, on this the 6<sup>th</sup> day of October, 2005.

/s/ Sam Baxter  
Sam Baxter